IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

WP(C).No. 23759 of 2007(C)

PETITIONER:

KRISHNA PRIYA M.VARIER,
REPRESENTED BY GUARDIAN, FATHER V.MADHU,
MADATHIL WARIAM, VAPPALASSERY P.O.,
ANGAMALY, ERNAKULAM.

BY ADV. SRI.D.SREEKUMAR

RESPONDENTS:
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1. THE KERALA AGRICULTURAL UNIVERSITY,
VELLANIKKARA, THRISSUR, REPRESENTED BY ITS
REGISTRAR.

2. THE VICE CHANCELLOR,
KERALA AGRICULTURAL UNIVERSITY,
VELLANIKKARA, THRISSUR.

3. THE STATE OF KERALA, REPRESENTED BY
THE PRINCIPAL SECRETARY, HIGHER EDUCATION
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

4. THE REGISTRAR,
KERALA AGRICULTURAL UNIVERSITY,
VELLANIKKARA, THRISSUR.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD,
SRI.RENJITH THAMPAN, SC, KERALA AGRI. UNIVERSITY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 23759 OF 2007
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Dated this the 4th day of September, 2007

J U D G M E N T

The prayer in this writ petition is to direct the respondents to grant 15 marks weightage to the dependant of Ex-serviceman in the matter of admission to B.Sc Course 2007 conducted by the first respondent University. Reliance is mainly placed on Ext.P4 wherein reference is made to a Government Order and the Kerala Agricultural University proceedings No.A Cad(1) 61121/76 dated 2.5.77, whereunder, a dependant of an ex-serviceman opting for admission to any degree course is eligible for 15 marks weightage.

2. The University has filed a statement that although initially on 2/5/77, it was decided to give weightage of 15 marks, the same has been discontinued from 1983-84 onwards. It is stated that since then, no weightage of

marks is given to the dependants of ex-servicemen or jawans. It is also stated that according to the prospectus for admission, no weightage was provided for any of the courses including B.Sc and that the academic Council which had approved the prospectus for admission for courses in the first respondent University had also not decided to give any weightage.

3. The weightage claimed by the petitioner is only a concession and I do not see any legal right available to the petitioner to compel the University to give weightage despite their decision to discontinue the same. At any rate, facts disclose that since 1983-84 onwards, the system of weightage itself has been discontinued. The petitioner also cannot complain that she has been lead to believe that there was weightage since even the prospectus did not contain any provision to that effect.

This being the case, I do not think that the petitioner can compel the University to grant her weightage of marks. I do not see any legal right to support the petitioner's claim and the writ petition is devoid of merit and it is dismissed.

ANTONY DOMINIC, JUDGE.

Rp